

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DANIEL BRAND et al.,

Plaintiffs,

-v-

TQTO CORP. et al.,

Defendants.
-----X

24-CV-1759 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Corporate Defendant, TQTO Corp., appears to be in default. The deadline for Individual Defendant, Joseph Bedwell, to respond to the Complaint is June 7, 2024. **If Mr. Bedwell fails to respond to the Complaint by that deadline, Plaintiff shall file any motion for default judgment**, in accordance with the Court’s Individual Rules and Practices for Civil Cases (available at <https://nysd.uscourts.gov/hon-jesse-m-furman>), **by June 21, 2024**. Plaintiff should familiarize itself with Local Civil Rules 55.1 and 55.2, which, along with Rule 55 of the Federal Rules of Civil Procedure and Rule 4(J) of the Court’s Individual Rules, govern default judgment motion practice before this Court. Per Local Civil Rule 55.2, a party seeking default judgment must append to the motion a Clerk’s Certificate of Default, which may be obtained by following the procedure described in Local Civil Rule 55.1. To be clear: Plaintiff must file its **motion** for default judgment, *not* merely its request for a Clerk’s Certificate of Default, by the above deadline.

If Plaintiff’s counsel submits calculations in support of any motion for default judgment, Plaintiff’s counsel shall also email native versions of the files with the calculations (i.e., versions of the files in their original format, such as in “.xlsx”) to Chambers at Furman_NYSDChambers@nysd.uscourts.gov. If or when a motion for default judgment is filed, the Court will enter a further Order setting a deadline for any opposition and reply and scheduling a show cause hearing. If no motion for default judgment is filed by the deadline set forth above, the case may be dismissed for failure to prosecute without further notice to the parties.


If Mr. Bedwell responds to the Complaint by the June 7, 2024 deadline, the Court will issue further guidance. Additionally, in light of the foregoing, the initial pretrial conference scheduled for June 13, 2024 is ADJOURNED *sine die*.

Plaintiff shall serve a copy of this Order electronically and/or by first-class mail on Defendants **within two business days from the date of this Order** and shall file proof of such

service **within three business days of the date of this Order.**

SO ORDERED.

Dated: June 3, 2024
New York, New York



JESSE M. FURMAN
United States District Judge